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JOHN M. CLANCY  
OF COUNSEL

August 28, 2007

FEROL REED-McDERMOTT

Honorable Charles L. Brieant  
United States District Court  
Southern District of New York  
300 Quaroppas Place  
White Plains, New York 10601

DOCKET IN CASE #  
AS: *Letter*

DATE:

RE: United States v. Sobiech, et al.  
Case No. 6335(CLB) (LMS)

CLB/USDJ

Dear Judge Brieant:

We represent Orange County Trust Company, a defendant and lienholder in the mortgage foreclosure proceeding referenced above. By a letter dated August 21, 2007 from the United States Attorneys Office, we were advised of a conference in this matter to be held on September 21, 2007.

While our firm has appeared on behalf of Orange County Trust Company, we waived service of documents and demand of all proceedings, with limited exceptions. A copy of a notice of appearance and waiver of demand is enclosed. We intend to merely monitor the case on behalf of our client, not to actively defend it.

For this reason, we do not plan on attending the September 21 conference. If the Court requires it, however, we will attend.

Respectfully yours,

*[Signature]*  
KEVIN F. PRESTON

KFP:mb  
Encl.

cc: United States Attorneys Office  
See Schedule "A" annexed hereto

Thomas P. Sobiech  
P.O. Box 7  
Pine Island, NY 10969

Robin Sobiech  
P.O. Box 7  
Pine Island, NY 10969

Nichris Corp.  
P.O. Box 221  
Pine Island, NY 10969

Pine Island Group, Inc.  
827 County Route 1  
Pine Island, NY 10969

Gotham Renovation Group, Inc.  
455 Crescent Street  
Brooklyn, NY 11208

Orange County Trust Company  
c/o MacVean, Lewis, Sherwin &  
McDermott, P.C.  
Attention: Kevin F. Preston, Esq.  
P.O. Box 310  
Middletown, NY 10940

Joseph Wu  
176 Broadway, Suite 9D  
New York, NY 10038

Sharyland L.P. d/b/a Plantation Produce  
Company  
P.O. Box 1043  
Mission, TX 78573-1043

M&M Packaging Inc.  
401 Pulaski Highway  
Goshen, NY 10924

Mellon Bank  
1735 Market Street  
8<sup>th</sup> Floor  
Philadelphia, PA 19103

United Penn Bank  
c/o Mellon Bank  
1735 Market Street  
8<sup>th</sup> Floor  
Philadelphia, PA 19103

Pietrzak & Pfau Engineering & Surveying,  
PLLC  
262 Greenwich Avenue  
Goshen, NY 10924

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA,

Plaintiff,

-against-

NOTICE OF APPEARANCE  
AND WAIVER OF DEMAND

THOMAS P. SOBIECH, ROBIN SOBIECH,  
NICHRI CORPORATION, PINE ISLAND  
GROUP, INC., GOTHAM RENOVATION GROUP,  
INC., ORANGE COUNTY TRUST COMPANY,  
JOSEPH WU, SHARYLAND L.P. d/b/a  
PLANATION PRODUCE COMPANY, M&M  
PACKAGING, INC., MELLON BANK, UNITED  
PENN BANK, PIETRZAK & PFAU ENGINEERING  
& SURVEYING, PLLC, JOHN DOES NOS.  
1-10 AND JANE DOES NOS. 1-10,

CASE NO. 07 CV 6335

Defendants.

-----X

PLEASE TAKE NOTICE, that defendant ORANGE COUNTY TRUST  
COMPANY hereby appears in this proceeding by its attorneys,  
MacVean, Lewis, Sherwin & McDermott, P. C., and waives service  
of all papers and notice of all proceedings herein except for  
notice of application for discontinuance of action, judgment of  
foreclosure and sale, notice of sale, referee's report of sale  
and notice of all proceedings to obtain surplus monies.

Dated: July 25, 2007  
Middletown, New York

MacVean, Lewis, Sherwin  
& McDermott, P.C.

By: 

Kevin F. Preston

Attorneys for Defendant,  
Orange County Trust Company  
34 Grove Street - Box 310  
Middletown, New York 10940  
(845) 343-3000

TO:

Michael J. Garcia

U.S. Attorney for the Southern District of New York

By: Kristin L. Vassallo, Assistant U.S. Attorney

86 Chambers Street, 3<sup>rd</sup> Floor

New York, New York 10007

